

DECLARES THAT ACCOMAC FOLK WOULD LYNCH

(Continued From First Page.)

private houses. He is all right there, and all right when he gets on this side of the water if he don't stop on the way, but I say that if a judge from Elizabeth City should go to Accomac and behave as Judge Blackstone does in our county they would lynch him, and I wouldn't blame them if they did.

On Par With Barroom Folk?
"Are our highest officials to be put upon a par with barroom loafers? Are our judges to set such examples, when they should be looked up to by the citizens?"

"Our people are crying to you for relief from this horrible condition of affairs, and shall it be said that you will turn a deaf ear to their pleading?"

"How can a judge properly fine a witness or a juror for being ten minutes late at court, when he is often two hours late in going on the bench?"

Mr. Lewis's speech was brief, though it was earnest and eloquent throughout. His peroration was a strong appeal for Judge Blackstone's removal on the ground that he was not a proper man to hold the high position of circuit judge, in view of the evidence adduced against him at the investigation.

"Gentlemen of the committee," he said in conclusion, "I leave the case with your convictions and consciences, believing that your judgment will be such as will insure the protection of the rights of the people."

Mears for Judge Blackstone.
Mr. Otto F. Mears, of Northampton, followed for Judge Blackstone, speaking at times with much force and earnestness.

Mr. Mears addressed himself mainly to the question of charity, and asked that the committee be lenient in its verdict.

"In considering this case, you should consider it with reference to the frailties of human nature," he said. "We are all living, but we are not all dead. Judge Blackstone has been upon the bench for nearly ten years, and no sinner, fairer or more impartial jurist has ever sat upon the bench of this Commonwealth."

"He is physically a weak man, and owing to this he sometimes takes stimulants, which may for the moment make him do what otherwise he would not do."

"A wave of morality seems to be sweeping over our State, and I do not so much regret it, but let us not go too fast."

Judge Blackstone has been said to have been seen on the streets in a drunken condition. He is afflicted, he has been paralyzed, and those who know him well know that his gait is unsteady, and a person not so well acquainted with him might think he was under the influence of liquor when he was not.

"Gentlemen, in your report I ask you to be charitable, and I ask you to consider what it means to Judge Blackstone and to his friends to turn him out."

"In making up your report, I again beg you to be charitable, and to say to Judge Blackstone, 'Go thy way and sin no more.'"

Calls it Persecution.
Mr. Collier followed Mr. Mears, and in his opening remarks he charged that the petitioners were conducting a persecution instead of a prosecution. He ridiculed Mr. Lewis for apologizing for appearing in the case, and at times was highly sarcastic in his references to the conduct of the inquiry by the other side.

Mr. Collier first took up the charge that Judge Blackstone was asleep on the bench in the Sheets case, and he declared that it had not been proved by the evidence. Coming next to the Pavalline case in which it is also alleged that the cause of the drowsiness of the court on this occasion was the result of medicine prescribed by his physician, and not of whiskey.

In discussing the charges of immorality against Judge Blackstone, the Hampton lawyer was severe in his strictures upon some of the witnesses

for the petitioners. His references to the few lawyers who appeared against Judge Blackstone from Elizabeth City were bitter. He intimated strongly that some of them had "axes to grind." Mr. Lewis had referred to the people of Accomac and Northampton as being clannish, and Mr. Collier turned this to good effect by asking if it might not be true that some spirit of clannishness entered into the desire of Newport News lawyers to have their cases tried before Judge Barham instead of Judge Blackstone.

Fursuing this line, however, he made it plain that one of the strong reasons for instituting suits in the Corporation Court of the Circuit Court is that the former is in session practically every day, while Judge Blackstone's terms in Newport News are only once in sixty days, and then for only six or seven days at one time. Some lawyers had testified that they had stopped instituting suits in Judge Blackstone's court because they thought Judge Barham more competent to intelligently handle their cases. It was this point to which the Hampton lawyer was now addressing himself.

Taking up the testimony of Sheriff Curtis, of Hampton, a part of which was damaging to Judge Blackstone, Mr. Collier pointed out that the sheriff had also said that he had attended all of the terms of the courts of the accused, and had never seen him drunk on the bench or in such a condition as to prevent him from properly discharging his duties.

Charge of Immorality.
The speaker dwelt at great length upon the charge of immorality, though, as was the case with the evidence on this point, much of what he said was of such a nature as would make it improper to print.

Mr. Collier declared that notwithstanding the charge that the judge had frequently failed to open his courts on the day required by law, there had been no evidence to show that he had ever so failed, except on one occasion.

In closing, the speaker paid a splendid tribute to Judge Blackstone's honesty, impartiality and ability on the bench, and sought to invoke the biblical injunction: "Let him who is without sin cast the first stone."

"This is a persecution, pure and simple, and Judge Blackstone has been hounded unmercifully by his accusers," said Mr. Collier, as he resumed his seat.

Closing for Blackstone.
At 1 o'clock Mr. Ashby arose to close the case for Judge Blackstone, and he made an earnest and able effort for his client. He said that Judge Blackstone had been charged with being a drunken, debauched imbecile, who could not appreciate the proprieties of decent life, and that public sentiment had been wrought up against him by the publication of the charges in the newspapers.

He dwelt upon the fact that not a single lawyer in Judge Blackstone's circuit had put his name to the petition against him, and said if they believed the charges as set out in the petition, they must indeed be unmanly men not to join in the fight for his removal. He declared that not a single citizen of Newport News had signed the paper, and that his people did not desire his removal.

Taking up the charges as to Judge Blackstone sleeping on the bench, he contended that the one as to the Sheets trial had not been proved, but even though it had, he thought it would not be at all remarkable if after wrestling with mosquitoes all night and lawyers all day, a judge should nod now and then.

The speaker had seen one of the members of the committee nod in the early days of the hearing, and he was sure no one would say this would disqualify that member from passing intelligently upon Judge Blackstone's case.

Question of Drowsiness.
Mr. Ashby took up the evidence concerning the sleeping of Judge Blackstone in the Pavalline trial, and he contended that though at first it had been thought the judge was drunk, it had been conclusively proved that he was not, and that his drowsiness resulted from medicine prescribed by his physician and taken upon an empty stomach.

Discussing the charge that Judge Blackstone had been frequently seen upon the streets of Hampton and Phoenix in a drunken condition, he argued that the evidence had absolutely failed to bear it out, and that instead of "frequently" only two instances had

been cited and then witnesses had not been certain, declaring only that the accused had the appearance of being under the influence of liquor. If Judge Blackstone had the terrible reputation for insobriety alleged in the petition, Mr. Ashby thought it remarkable that only two witnesses had been brought forward to establish the charge. He referred to the fact that all of the witnesses from the Eastern Shore, none had ever seen him drunk, and contended that if he was an habitual drunkard, as charged, he would sometimes have been seen intoxicated on the Eastern Shore. Mr. Ashby contended that the charge that Judge Blackstone frequently fails to open his court on time had fallen to the ground, and instead of "frequently" only one instance had been shown.

Afternoon Session.
When the committee reconvened, Mr. Ashby resumed his argument, and went over all the testimony concerning general reputation for morality and sobriety. His conclusions were that the overwhelming preponderance was in favor of Judge Blackstone's good character.

He declared that the widest scope had been given to the prosecution, and yet there had been an absolute failure to show that Judge Blackstone's reputation for morality and sobriety was bad.

Mr. Ashby replied sharply to Mr. Lewis's statement that if an Elizabeth City judge were to go to the Eastern Shore and behave as Judge Blackstone had done in Elizabeth City, he would be lynched, and declared that there was nothing in the evidence to warrant such inflammatory utterances. The speaker denounced this language as unfair to Judge Blackstone, and asserted that knowing the people of Elizabeth City county, he was in a position to say that no one of them desired to lay violent hands upon him.

In defending the accused against another charge of drunkenness, when it was alleged that he had a chill on the bench in Newport News as the result of drink, Mr. Ashby argued that the judge was sick; that the attorneys argued important instructions to him in his room and that his mind was perfectly clear, as he had passed intelligently upon the instructions and had marked his conclusions upon each.

As to Immorality.
Coming to the charge of immorality, Mr. Ashby admitted some slight allegations along this line, but declared that practically nothing of a serious nature had been established.

Judges could only be removed for cause under the Constitution, contended the speaker, but he said this language referred to their official acts, and that it would not be fair to take Judge Blackstone from the bench when his private life is now as good as it was when he was elected.

"No tainted hand," he went on, "has been laid upon Judge Blackstone's integrity, and it is known everywhere that when he goes upon the bench he favors no friend and chastises no enemy."

"We are proud of the fact that the people of the Eastern Shore have rallied to the standard of Judge Blackstone, and I say that in view of his high standing among his own people, he cannot be that satanic demon he has been painted."

"The effect of an adverse report would, of course, be disastrous to Judge Blackstone and his friends, but we are not invoking this in the interest of charity."

"We ask you to weigh this case carefully, and to bring in a verdict in conformity with the evidence, and with the splendid work which he has done as an able and intelligent judge in this State."

Mr. Meredith Closes.
It was 5 o'clock when Mr. Meredith arose to conclude the case for the prosecution, and in opening he laid great stress upon the enormity of the

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GENERAL SHIP RETURNS.

Arrives at V. M. I. After Extended Tour Abroad.

[Special to The Times-Dispatch.]

LEXINGTON, VA., February 25.—

General Scott Shipp, former superintendent of the Virginia Military Institute, reached Lexington to-day from an extended trip through Europe, Egypt, the Philippines, and returned by way of San Francisco.

General Shipp is in robust health, enjoyed his trip very much and was sick a day on his long journey. He was met at the station in Lexington by his arrival by Colonel E. W. Nichols, acting superintendent of the V. M. I., and by one member of each of the four-clauses at the institute.

Judge John E. Mason, of the Circuit Court of Spotsylvania county, has appointed Captain M. B. Rowe a member of the electoral board of that county.

Judge J. E. Mason has entered an order dismissing the attachment sued out by W. C. Reynolds vs. T. W. Corbin to recover \$1,375, and A. W. Embrey, of this city, was appointed receiver.

Judge Goodrick, in the Corporation Court, appointed Dr. Green receiver for the Theatre Company, of this city.

W. J. Butzner, a leading farmer of Spotsylvania county, sold 350 bushels of his crop of wheat here to-day at 96 cents per bushel.

An Eastern Star Chapter, Auxiliary to Masonic Lodge, has been organized at Orange with the following officers: Mrs. Virginia Randolph Shackelford, worthy matron; Miss M. E. Row, associate matron; Mr. Emil Levy, patron.

Bears the Signature of *Chas. H. Vetcher*

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